

Translation

PATENT COOPERATION TREATY

PCT/AT2003/000230



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference L57-391000-P	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/AT2003/000230	International filing date (day/month/year) 11 August 2003 (11.08.2003)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC C03B 33/03, 33/023		
Applicant LISEC, Peter		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.  <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of <u>5</u> sheets.
3. This report contains indications relating to the following items:  I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 06 April 2004 (06.04.2004)	Date of completion of this report 07 October 2005 (07.10.2005)
Name and mailing address of the IPEA/EP  Facsimile No.	Authorized officer  Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/AT2003/000230

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
pages 3-7, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages 1,2,2a, filed with the letter of 11 May 2005 (11.05.2005)
- ☒ the claims:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages 1-13, filed with the letter of 06 April 2004 (06.04.2004)
- ☒ the drawings:  
pages 1/2-2/2, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-13	NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

### 2. Citations and explanations

1. This report makes reference to the following documents cited in the search report:

D1: JP-A-7089740

D2: FR-A-2 545 815

2. Claims 1-13 do not meet the requirements of PCT Article 33(3).

- 2.1 With regard to claim 1, D1 (in particular its abstract and figures 1-3) discloses the preamble of claim 1.

The technical problem addressed is considered to be that of providing means which make it possible to achieve a support capable of receiving or supporting glass sheets which are vertically supplied for cutting a blank in the horizontal position.

This problem is solved by the vertically foldable supports which are generally known in this technical field. D2 (in particular page 1, lines 17-24; page 3, line 32 - page 5, line 7) shows this type of vertically foldable glass sheet support. In

addition, D2 discloses an embodiment in which the cutting bridge can be moved into a position outside the vertically foldable plate. A person skilled in the art would consider this additional feature, since he would be able to foresee its advantages, such as the reduction of the weight to be moved, which reduces the stress on and wear of the moving parts.

Moreover, D2 (in particular page 6, lines 22-24; page 7, lines 3-5) also discloses the arrangement of guides on the basic frame independently of the vertically foldable supports. Since, according to D1, the guides (5, 17a,b, 18a,b) and endless conveyors (19a,b, 20a,b, 24a,b) are arranged together under the horizontal support, this feature is obvious and a person skilled in the art would not need to be inventive to arrange these two components of the device together under the basic frame, independently of the vertically foldable support.

Consequently, the subject matter of claim 1 does not meet the requirements of PCT Article 33(3).

It is also noted that D1 (figure 3) alone already disclosed "that the guides (5, 17a,b, 18a,b) and endless conveyors (19a,b, 20a,b, 24a,b) are arranged on the basic frame independently of the plate", since these two components of the device are not directly arranged on the plate, which constitutes the support within the meaning of the application.

- 2.2 The features defined in claims 2-6 and 9-13 are known from D1.

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2.3 The features defined in claims 7 and 8 are known from D2.

3. The subject matter of claims 1-13 meets the requirements of PCT Article 33(4).